

Original signed April 1, 2004

Ms. Laurie Allen
Acting Director, Office of Protected Resources
National Marine Fisheries Service - 13th floor
1315 East-West Highway
Silver Spring, MD 20910

Dear Ms. Allen:

The Office of Pesticide Programs (OPP), US Environmental Protection Agency (EPA) respectfully requests the initiation of Endangered Species Act (ESA) section 7(a)(2) consultation. This consultation request addresses twenty (20) Evolutionarily Significant Units (ESU's) of Pacific salmon and steelhead that have been listed as Federally endangered or threatened, and one pesticide active ingredient registered by EPA under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), for uses within the range of the listed ESUs. The pesticide active ingredient subject to this request is naled which is an organophosphate pesticide registered for control of adult mosquitos and other insects on fruits, nuts, vegetables and field crops as cucurbit vegetables, citrus, brassica and leafy vegetables, cotton, alfalfa, safflower, sugar beets, soybeans, peaches, grapes, strawberries, and dried and succulent beans and peas. Our long-term intent is to make effects determinations and consult, as appropriate, relative to all listed species and locations. However, as per agreement with the National Marine Fisheries Service, this request is limited to Pacific salmon and steelhead for which NMFS has responsibility.

Naled has very high toxicity to fish and invertebrates in laboratory tests. However, based on the best available data on usage, environmental fate characteristics, the habitat for the individual ESU's and other information, OPP has determined that some naled uses may affect ten listed Pacific salmon and steelhead ESUs; may affect but are not likely to adversely affect ten listed Pacific salmon and steelhead ESUs; and naled use will have no effect on the remaining six ESUs.

A summary table at the back of the attached analysis indicates the specific determinations made for each of the 26 ESUs. I am requesting formal consultation on our determination that use of naled may affect the following listed Pacific salmon and steelhead ESU's; Upper Columbia River chinook salmon, Snake River spring-summer run chinook salmon, Snake River fall run chinook salmon, Upper Willamette River chinook salmon, Lower Columbia River chinook salmon, Puget Sound chinook salmon, Snake River Basin steelhead, Upper Columbia River steelhead, Middle Columbia River steelhead, and the Upper Willamette River steelhead; your concurrence, under the informal consultation process, on OPP's determination that the registered use of naled is not likely to adversely affect the following listed Pacific salmon and steelhead ESU's: Oregon Coast coho salmon, Southern Oregon/Northern California coho salmon, Hood Canal summer run chum salmon, Columbia River chum salmon, Snake River

sockeye salmon, Lower Columbia River steelhead, South-Central California Coast steelhead, Central California Coast steelhead, Southern California steelhead, and the Central Valley California steelhead. We are not requesting consultation on the remaining six since we have determined that naled use will have no effect on those ESUs.

OPP is working toward a final endangered species program which is expected to be final within the next several months. We are developing county-specific bulletins to address pesticide use and endangered and threatened species. It is through such bulletins, and pesticide product label reference to them, that OPP intends to implement and enforce protections for listed species, including any necessary protections for listed salmon and steelhead.

I look forward to working with NMFS to protect and help recover listed species. If you have any questions, please feel free to contact me on (703) 305-5239, or your technical staff may contact Ann Stavola, our review biologist, at (703) 305-5354.

enclosures

Sincerely,

Arthur-Jean B. Williams, Chief
Environmental Field Branch
Field and External Affairs Division (7506C)

cc: Craig Johnson